

Application No.: 10/561357
Filing Date: December 19, 2005

REMARKS

Claims 1, 4, and 7 have been amended to clarify the claimed invention. Also Claim 1 and 7 have been amended to include the subject matter of Claim 6 and 13 respectively. Further a recitation “used for a floor” is added to Claims 1 and 7.

Support for the amendments can be found in the drawings, in Claim 7 and 13 as previously filed and in the specification (page9, line 8-9), for example. No new matter has been added.

Applicant respectfully requests entry of the amendments and reconsideration of the present application in view of the amendments and following remarks.

Claim Rejections – 35 U.S.C. §112

Claims 4-6 have been rejected under 35 U.S.C. 112. The recitation “a surface layer” has been amended to “the surface layer” to clarify the claim.

Claims 1-13 have been rejected under 35 U.S.C. 112, as being indefinite. Claims 1 and 7 have been amended to clarify the claimed structure. The recitation “ the felt layer is layered under the thermoplastic resin sheet” in Claim 1 has been amended to “the thermoplastic resin sheet is layered between the felt layer and the non-woven body.”, and Claim 7 now recites:

“...formed on one surface of the elastic non-woven body; and
a thermoplastic resin sheet for sound isolation which is formed between
the other surface of elastic non-woven body which is opposite of the
surface having the wear resistance layer integrally formed on and the felt
layer...”

And a recitation “thermoplastic resin being thinner...” in Claim 7 has been amended to “thermoplastic resin sheet being thinner...” to clarify the claim

Due to a dependency of the claims, the above amendments on Claim 1, 4, and 7 obviates the rejection. Applicant respectfully requests withdrawal of the rejections.

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Claim Rejection – 35 USC §102/103

Claim 1-13 have been rejected under 35 U.S.C. 102(a), 102(e) or 35 U.S.C 103(a) as anticipated or obvious over Akuzawa.(US pub.No.2003/0203687)

Claims 1 and 7 have been amended to include the subject matter of Claim 6 and 13 respectively. Both claims now recite the recovery percentage in a folding test. The Examiner has considered that the non-woven body of Akuzawa and the present invention are equivalent, and so is the elasticity. The surface layer may be elastic, but rigidity is required for the base layer material in Akuzawa (paragraph [0065]). On contrary, a foamed mat of the present invention has the elasticity as whole, as shown in Fig. 4. For example, ‘resin felt’, one of the material listed as the base material in Akuzawa, is made of fibers that are compressed and joined with hardening binder. Thus, the present invention goes against the direction of what the cited reference teaches.

Further, a surface material that Akuzawa discloses is for covering the surface of a headlining, a pillar, a door trim or a rear package (paragraph [0002]). The material for covering the above portion requires stiffness to maintain its own shape and without the stiffness, the material would hang in folds or deform due to its own weight. On the other hand, a formed mat that is laid on a floor is not required to have stiffness to maintain its shape, but overall elasticity to conform to the shape of a floor panel.(page3, line 21~Page4 line 8) Thus, the “elasticity as a whole” derives a superiority in use for floor cover.

As described above the present invention defines the novel structure that produces superior result. Applicant respectfully requests withdrawal of this rejection.

Claim Rejection – 35 USC §103

Claim 1-13 have been rejected under 35 U.S.C. 103(a) as obvious over Akuzawa.(US pub.No.2003/0203687) in view Masuda (USPN 5,677,027).

A sound insulating structure of Masuda is for an automobile floor (column 1, line 9). Therefore, it is inoperable to combine with Akuzawa as described above. Further, in Masuda, the thermoplastic resin sheet (backing layer 18) is disposed on the interior side of elastic non-woven

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body (16), which is opposite to the present invention, so that noise from the interior would be bounced back. As a result quiet interior of the automobile can not be achieved as effective as the present invention.

Thus, the present invention can not be obvious over the cited references. Applicant respectfully requests withdrawal of this rejection.

CONCLUSION

In the light of the applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersign at the telephone number appearing below.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

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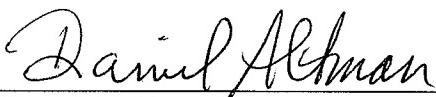
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 13, 2008

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